



General Assembly

January Session, 2005

***Raised Bill No. 6630***

LCO No. 2835

\*02835\_\_\_\_\_VA\_\*

Referred to Committee on Select Committee on Veterans Affairs

Introduced by:  
(VA)

***AN ACT CONCERNING MUNICIPAL EMPLOYEES CALLED TO  
ACTIVE MILITARY SERVICE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 5-259d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) As used in this section, (1) "state employee" or "employee" means  
4 any elected official, officer or full-time employee of the Executive,  
5 Legislative or Judicial Department, [and] (2) "part pay" means the  
6 difference between the state employee's base rate of pay, plus  
7 longevity, in the employee's primary position on the date the  
8 employee is called to active service in the armed forces of any state or  
9 the United States and the total compensation the employee receives for  
10 such active service, as certified to the State Comptroller by the  
11 employing state agency in a manner acceptable to the State  
12 Comptroller, (3) "municipality" means a town, city, borough or district  
13 within a town, and (4) "municipal employee" means any elected  
14 official, officer or full-time employee of a municipality.

15 (b) Notwithstanding any provision of the general statutes or any

16 public or special act, the state and each municipality, respectively, shall  
 17 continue to provide coverage, under a group hospitalization and  
 18 medical and surgical insurance plan sponsored by the state under  
 19 section 5-259, for the dependents of any state or municipal employee  
 20 and the state or municipal employee who is a member of the armed  
 21 forces of any state or of any reserve component of the armed forces of  
 22 the United States and who has been called to active service in the  
 23 armed forces of any state or the United States for [(1) Operation  
 24 Enduring Freedom, (2) Operation Noble Eagle, (3) a related emergency  
 25 operation or a military operation whose mission was substantially  
 26 changed as a result of the attacks of September 11, 2001, or (4) federal  
 27 action or state action authorized by the Governor in support of the  
 28 federal Department of Homeland Security's Operation Liberty Shield,  
 29 military operations that are authorized by the President of the United  
 30 States that entail military action against Iraq, or federal action or state  
 31 action authorized by the Governor to combat terrorism within the  
 32 United States, for] the duration of such [call-up] call to active service,  
 33 provided (1) such state or municipal employee and dependents were  
 34 covered by the insurance plan on the date the state or municipal  
 35 employee was called to active service, and (2) the state or municipal  
 36 employee continues to pay any amount that the employee was  
 37 required to pay for coverage before being called to active service. Any  
 38 payment required to be made by the employee for coverage under this  
 39 subsection may be deducted from compensation provided under  
 40 subsection (c) of this section. The state and each municipality,  
 41 respectively, shall reimburse any state or municipal employee who has  
 42 paid premiums for the continuation of any such group hospitalization  
 43 and medical and surgical insurance plan [between the date such state  
 44 employee was called to active service and November 20, 2001] during  
 45 the period of such active service. The reimbursement shall be in the  
 46 amount of the state's or municipality's portion of the premiums so  
 47 paid.

48 (c) Notwithstanding any provision of the general statutes or any  
 49 public or special act, any state or municipal employee who is a

50 member of the armed forces of any state or of any reserve component  
 51 of the armed forces of the United States and who has been called to  
 52 active service in the armed forces of any state or the United States [for  
 53 (1) Operation Enduring Freedom, (2) Operation Noble Eagle, (3) a  
 54 related emergency operation or a military operation whose mission  
 55 was substantially changed as a result of the attacks of September 11,  
 56 2001, or (4) federal action or state action authorized by the Governor in  
 57 support of the federal Department of Homeland Security's Operation  
 58 Liberty Shield, military operations that are authorized by the President  
 59 of the United States that entail military action against Iraq, or federal  
 60 action or state action authorized by the Governor to combat terrorism  
 61 within the United States,] shall be entitled to a leave of absence with  
 62 pay as provided in section 27-33, as amended by this act, from the date  
 63 on which the employee was called to active service. After the  
 64 expiration of such leave of absence with pay, if applicable, the state or  
 65 municipal employee shall receive part pay for the duration of such  
 66 [call-up] call to active service if the compensation received by the state  
 67 or municipal employee for such active service is less than the  
 68 employee's base rate of pay, plus longevity, in the employee's primary  
 69 position. The state or municipal employee shall not be required to  
 70 exhaust accrued vacation or sick time in order to be eligible for the  
 71 paid leave of absence and part pay under this subsection.

72 Sec. 2. Section 27-33 of the general statutes is repealed and the  
 73 following is substituted in lieu thereof (*Effective from passage*):

74 The armed forces of the state may assemble for drill, escort duty or  
 75 any special service as ordered by the Governor and shall participate in  
 76 encampments, maneuvers or other exercises, including outdoor target  
 77 practice, as may be required by the laws and regulations of the United  
 78 States relating to the National Guard or naval militia or as may be  
 79 ordered by the Governor. Each officer and employee of the state or a  
 80 municipality, as defined in section 5-259d, as amended by this act, who  
 81 is a member of the armed forces of the state or of any reserve  
 82 component of the armed forces of the United States shall be entitled to

83 absent himself or herself from his or her duties or service while  
84 engaged in the performance of regularly ordered military or naval  
85 duty. No such officer or employee shall be subjected by any person,  
86 directly or indirectly, by reason of such absence, to any loss or  
87 reduction of vacation or holiday privileges or be prejudiced by reason  
88 of such absence with reference to promotion or continuance in office or  
89 employment or to reappointment to office or to reemployment. While  
90 engaged in the performance of regularly ordered military or naval  
91 service, each officer or employee who is a bona fide member of the  
92 National Guard, naval militia, reserve corps or organized militia shall  
93 receive his or her salary or compensation as such officer or employee,  
94 provided the period of absence in any calendar year shall not exceed  
95 thirty days.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	5-259d
Sec. 2	<i>from passage</i>	27-33

***Statement of Purpose:***

To require municipalities to continue to provide medical, hospitalization, and surgical insurance to its employees who are called to active duty and their dependents, as is already required of the state for state employees, and to make such requirement applicable for state and municipal employees called to any active duty rather than the current statutory list of named conflicts and military operations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*